IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 936 OF 2007
IN
CRIMINAL APPEAL NO. 163 OF 2007

Ramchandra Ganpat Jadhav.... Applicant

versus

CBI, SEB, Mumbai & anr. ..... Respondent.

Shri S.R.Chitnis Sr. adv. i/b H.S.Venegavkar for the applicant.
Shri J.C.Satpute for respondent.

CORAM; A.P. DESHPANDE, J.
DATED; 05TH DECEMBER, 2007

P.C.;

1. Heard the learned advocates.

2. The learned Senior Counsel appearing for the applicant has contended that the present applicant has not played any role either in relation to demand or acceptance of the illegal gratification. The applicant has been convicted of an offence punishable under section 7 of the Prevention of Corruption Act. He has already been released on bail in appeal. However, by the present application he is seeking stay/suspension of conviction so that he can claim reinstatement in service and occupy the public office. It is a settled position in law that a public servant

who has been convicted of an offence under the Prevention of Corruption Act, cannot be reinstated in service by granting stay to the order of conviction. The learned counsel for the respondent has placed reliance on a judgment of the Apex Court in case of **K.C.Sareen Vs. CBI, Chandigarh reported in 2001 S.C.C. (Cri) 1186.**

2. Perused the judgment and order impugned. There is no merit in the present application. Thus the same stands rejected. However, having regard to the totality of the facts and circumstances, I expedite the hearing of the appeal.

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